

Hall of the House of Representatives
86th General Assembly - Regular Session, 2007
Amendment Form

Subtitle of Senate Bill No. 827

"TO AMEND PORTIONS OF THE REGIONAL WATER DISTRIBUTION DISTRICT ACT,
ACT 114 OF 1957, 14-116-101 ET SEQ., AND TO PROVIDE ECONOMIC
DEVELOPMENT."

Amendment No. 1 to Senate Bill No. 827.

Amend Senate Bill No. 827 as engrossed, S3/14/07 (version: 03-14-2007 09:37):

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 14-116-301 is amended to read as follows:
14-116-301. Members generally - Original appointments.

(a) If a water district is comprised of all or a portion of four (4) or more counties:

(1) ~~The board of directors shall be composed of three (3) qualified voters residing in the district. However, if the district embraces lands in more than one (1) county, then the board of directors shall be composed of three (3) qualified electors who are residents of the district from each of the counties in which lands are embraced in the district.~~ Furthermore, if the court creating a water distribution district finds that a larger number of board members than that provided for above is necessary to afford adequate representation for the various ~~areas~~ parts of the district, the court may establish a board consisting of a greater number of members than that provided for above. In this case the representation on the board of directors shall be apportioned to the various ~~areas~~ parts of the district in a manner the court deems just and equitable.

~~(b)~~(2) When the circuit court has established the district, it shall, within a reasonable time thereafter, appoint the three (3) or more directors of the water district. Upon the expiration of the terms of the directors so appointed, subsequent directors shall be elected as set out in this subchapter by the qualified electors residing in the water district in each county in which there is area included in the district.

(b) If a water district is comprised of all or a portion of less than four (4) counties:

(1) The board of directors shall be composed of three (3) qualified voters residing in the service area of the customers of the district, which is the area within the boundaries of the water district to which the customers of the district currently provide retail water or other services that they have purchased from the district. However, if the



district embraces lands in more than one (1) county but less than four (4) counties, then the board of directors shall be composed of three (3) qualified electors who are residents of the service area of the customers of the district from each of the counties in which lands are embraced in the district. Furthermore, if the court creating a water distribution district finds that a larger number of board members than that provided for above is necessary to afford adequate representation for the various parts of the district, the court may establish a board consisting of a greater number of members than that provided for above. In this case the representation on the board of directors shall be apportioned to the various parts of the district in a manner the court deems just and equitable, and each director shall be a qualified voter residing in the part of the service area of the customers of the district that he or she represents.

(2) When the circuit court has established the district, it shall, within a reasonable time thereafter, appoint the three (3) or more directors of the water district. Upon the expiration of the terms of the directors so appointed, subsequent directors shall be elected as set out in this subchapter by the qualified electors residing in the service area of the customers of the water district in each county in which lands are embraced in the district or, if the district has been apportioned by the court, by qualified voters residing in the part of the service area of the customers of the district that the director will represent."

AND

Delete SECTION 3 in its entirety and substitute the following:

"SECTION 3. Arkansas Code § 14-116-303 is amended to read as follows:
14-116-303. Members - Nomination and election.

(a)(1) If a water district is comprised of all or a portion of four (4) or more counties then ~~Nominations~~ nominations for directors shall be upon petitions signed by at least fifty (50) qualified electors residing in the area of the district from which the director is to be elected. This petition shall be filed with the county board of election commissioners at least sixty (60) days prior to the general election.

(2) If a water district is comprised of all or a portion of less than four (4) counties then nominations for directors shall be upon petitions signed by at least fifty (50) qualified electors residing in the part of the service area of the customers of the district from which the director is to be elected. This petition shall be filed with the county board of election commissioners at least sixty (60) days prior to the general election.

(b) Election of the directors shall be held as a part of the general election and under the laws governing it.

(c) Any director shall be qualified to succeed himself."

The Amendment was read _____
By: Representative Maloch
MMC/RCK - 03-26-2007 08:25
MMC181

Chief Clerk